

REMARKS

Claims 57-60, and 115-118 are pending in this application.

Claims 1-56 and 61-114 have been canceled without prejudice.

Claims 115-118 have been added. All of the new claims are supported by original claims 33 and 44, as well as the specification, e.g., at pg. 14, lines 19-23, and pg. 16, lines 5-14. No new matter is added.

No Additional Claims Fees Due.

There are currently five (5) independent claims in this application. The fees for six (6) independent claims were paid at the time of filing; accordingly, no additional claims fees are due.

Election.

The claims of this application have been made subject to a restriction requirement. The Examiner has required restriction between compositions (Group I), methods of treatment (Group II), methods of diagnosing a disease (Group III), methods of monitoring a disease (Group IV) and kits for detecting expression of a tumour-associated antigen (Group V). The claims also have been made subject to a species election *vis-a-vis* the various sequences disclosed in the application.

Applicants hereby elect a method of diagnosing cancer (e.g., as in Group III) comprising detecting the level of a nucleic acid comprising a nucleic acid sequence that encodes a tumour-associated antigen embodied in new claims 115 and 116. Applicants also hereby elect the species of SEQ ID NO: 1. Claims 115 and 116 both read on the elected species.

New claims 117 and 118 are directed to a method of determining regression, course, or onset of cancer by detecting the expression of the same nucleic acids as those set forth in claims 115 and 116, respectively.

Applicants submit that claims 115-118 should be examined together, because the claims share the same inventive technical feature, i.e. the detection of expression of one of the specified nucleic acids in a tissue sample from a patient. The nucleic acids set forth in the claims

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have been shown by Applicants to be associated with cancerous tissue. Each of claims 115, 116, 117, and 118 reads on the elected sequence of SEQ ID NO: 1.

An early action on the merits is solicited.

Respectfully submitted,

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